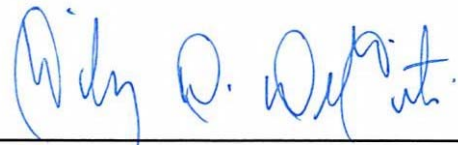


The Tenth Circuit has expressly declined to decide whether exhaustion requirements are jurisdictional. *Malouf v. Sec. & Exch. Comm'n*, 933 F.3d 1248, 1258 n.10 (10th Cir. 2019), cert. denied, No. 19-909, 2020 WL 1124531 (U.S. Mar. 9, 2020). But the Tenth Circuit has explicitly stated that “the PLRA does not enable judges, by creative interpretation of the exhaustion doctrine, to prescribe or oversee prison grievance systems.” *Beals v. Jay*, 730 F. App’x 633, 637 (10th Cir. 2018). Therefore, the Court adheres to its decision as stated in its previous Order [Doc. No. 44].

IT IS SO ORDERED this 13th day of May, 2020.



TIMOTHY D. DeGIUSTI
Chief United States District Judge